

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2004/0109911	Boegli	6-2004
2002/0007749	Makoui et al.	1-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9, 10, 12, 13, 15, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boegli (US 2004/0109911).

As applied to claims 1 and 2, Boegli teaches an apparatus (1, Fig. 1) comprising: a surface containing at least one elongated embossing element (a first embossing roll 2, Fig. 1) having a top comprising a flat surface having a width (truncated pyramid tooth profiles 8 with flat top surface, Fig. 3B); the embossing element having a first sidewall